

REMARKS

This is intended as a full and complete response to the Office Action dated March 20, 2007, having a shortened statutory period for response set to expire on June 20, 2007. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-19, 22, 23, 25, 29-35, 42-45, 49, 52, 53, 63-65 and 95-100 remain pending after entry of this response and are shown above. Claims 20, 21, 24, 26 - 28, 37 - 41, 46 - 48, 51, 54 - 62, 66 - 72 and 74 - 89 stand withdrawn by the Examiner. Claims 1 - 4, 6 - 19, 22, 23, 25, 29 - 38, 42 - 44, 49, 52, 53 and 63 - 65 stand rejected by the Examiner. Claims 5 and 45 are objected to. Reconsideration of the rejected claims is requested for reasons presented below.

Claim Rejections Under 35 U.S.C. § 102

Claims 1 - 4, 6 - 19, 22, 23, 25, 29 - 36, 42, 43, 49, 52, 53 and 63 - 65 rejected under 35 U.S.C. § 102(b) as being anticipated by *Metcalfe, et al.* (US Patent No. 6,543,552 B1). Applicant respectfully traverses this rejection.

The *Metcalfe, et al.* is not a proper 35 U.S.C.102(b) prior art reference. The *Metcalfe, et al.* was filed on December 22, 1999 and issued on April 8, 2003, this reference was not published. Therefore, the date for the statutory bar started on April 8, 2003. The present claims were filed nonprovisionally in the US on March 25, 2004. This date is less than the one year required by 35 U.S.C. 102(b). Therefore, Applicant believes that claims 1-19, 22, 23, 25, 29-38, 42, 43, 45, 49, 50, 52, 53, 56-60, 63-72, 74-89 and 95-99 are in condition for allowance.

In addition, the *Metcalfe, et al.* reference does not disclose an expansion cone used in conjunction with an expansion member adapted to expand the tubing by inducing a compressive yield. The *Metcalfe, et al.* reference discloses two expander sections (30, 32) wherein one expander section has inclined rollers 38 and the other expander section has a plurality of parallel axis rollers 42. Neither of these expander section (30, 32) include an expansion cone. The rollers 38 of the *Metcalfe, et al.*

reference are a series of rollers arranged in a conical manner. The rollers and not the cone induce the expansion. The background implies that both of these roller expander sections may be replaced by expansion cones, for example: [o]ther forms of expanders may be utilized, such as a fixed cone..." (Col. 3, ln. 10-11). This section of the background does not refer to replacing one of the expanders with an expansion cone. Therefore, the reference does not teach, show, or suggest at least one expansion member adapted to expand a tubing by inducing a hoop stress in the tubing, wherein the hoop stress inducing expansion member comprises an expansion cone and at least one further expansion member adapted to expand the tubing by inducing a compressive yield of the tubing as recited in claims 1-19, 22, 23, 25, 29-35, 42-45, 49, 52, 53, 63-65 and 95-99. Therefore, Applicants believe that claims 1-19, 22, 23, 25, 29-35, 42-45, 49, 52, 53, 63-65 and 95-99 are in condition for allowance.

Claim Rejections Under 35 U.S.C. § 103

Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Metcalfe, et al.* in view of *Lauritzen, et al.* (US Patent No. 6,722,441 B2).

As stated above, Applicant believes that claim 1 is in condition for allowance. Therefore, claim 44 is also in condition for allowance.

Allowable Subject Matter

Claims 5 and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 5 has been rewritten including all of the limitations of the base claims and any intervening claim as new claims 100. Thus, Applicant believes that claim 100 is in condition for allowance.

New Claims

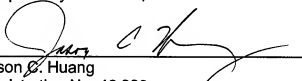
New claims 95-100 have been added. No new matter has been added. Claims 95-100 depend from claim 1. As stated above Applicants believe that claim 1 is in condition for allowance and therefore claims 95-99 are also in condition for allowance.

As discussed above new claim 100 is allowable claim 5 including the base claim and any intervening claims. Thus, Applicants believe that claim 100 is in condition for allowance.

Conclusion

The references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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